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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/551,225	09/28/2005	Yasushi Hayashida	33082M278	4274

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SMITH, GAMBRELL & RUSSELL

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EXAMINER

PRAKASAM, RAMYA G

ART UNIT

PAPER NUMBER

3651

MAIL DATE

DELIVERY MODE

12/19/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/551,225

Applicant(s)

HAYASHIDA ET AL.

Examiner

RAMYA G. PRAKASAM

Art Unit

3651

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2008.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29-32 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 29-32 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 28 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date 6/19/06, 9/28/05
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 29-32 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.
4. Claims 29 and 30 recite a transfer schedule in which a relationship between a transfer timing and the modules is stored, but the claim recites that it is stored in the substrate process of the first lot and the substrate process of the second lot. It is unclear how a relationship can be stored in the processing of a substrate.
5. Further, it is unclear how a contour of figures constituted by the cells can be included in transfer schedules of the substrate process. Appropriate clarification is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 29-32 rejected under 35 U.S.C. 102(b) as being anticipated by Tateyama (US Patent No. 6,507,770).

As best understood by the examiner, Tateyama discloses a substrate processing system which sequentially performs a plurality of processes on a plurality of substrates according to predetermined process procedures, comprising:

- A plurality of modules into and out of which a substrate is transferred (See Figures 1-3);
- RE: Claim 30 – the plurality of modules perform resist coating (See Column 5, lines 57-60), development after resist exposure on the semiconductor substrate (See Column 5, lines 57-60), a hydrophobic process (See Column 6, lines 28-30), a heating process (See Column 6, lines 31-35), a cooling process (See Column 6, lines 27-28), and a holding process on the semiconductor substrate (5).
- A substrate transfer mechanism which transfers said substrate between said modules (4, 9);
- A control section (1) which controls said substrate transfer mechanism in such a way as to perform a substrate process of a first lot including a plurality of substrates to be transferred in a first transfer flow with respect to said plurality of modules (1), and subsequently perform a substrate process of a second lot including a plurality of substrates to be transferred in a second transfer flow different from said first transfer flow with respect to said plurality of modules (See Column 18, lines 25-32).
- Said control section including:

- A transfer control table in which a transfer schedule (2a - recipe) representing a relationship between a transfer timing of the substrate and said modules into and out of which that substrate is transferred is stored in each of the substrate process of said first lot and the substrate process of said second lot, and which comprises a two-dimensional table including a time axis along with transfer timings at which a transfer operation of said substrate is performed in a predetermined cycle is set and a transfer flow axis along which said modules into and out of which said substrate is transferred is laid out (See Figure 14).
- A controller (59) including a function of generating said transfer schedule of a plurality of substrates in a unit of a lot on said transfer control table by setting identification information of each of said substrates which is transferred into and out from said modules with respect to a cell to be specified by designating a specific one of said transfer timings and a specific one of said modules in said two-dimensional table, a function of moving all of said cells included in said transfer schedule of the substrate process of said second lot ahead in a direction of said time axis within a range over which contours of figures constituted by said cells included in said transfer schedules of the respective substrate processes of said first lot and second lot set on said transfer control table do not interfere with each other, and a function of controlling said substrate transfer mechanism based on said transfer schedule read from said transfer control table at every said transfer timing (See Column 9, lines 66-67 and Column 10, lines 1-9).

- wherein said controller further comprises a function which, when said transfer schedules of said first and second lots are set in said transfer control table in such a way that transfer recipes comprised of a combination of said modules and a transfer order of the substrate between said modules become equal to each other, sets said transfer schedule ahead for each of said modules in said transfer recipe (See Column 10).
- Wherein said control means further comprises a function which, when said transfer schedule of said first and second lots is set in said transfer control table in such a way that transfers receipts comprised of a combination of said modules and a transfer order of the substrate between said modules become equal to each other, intentionally delays a start timing of said transfer schedule of said second lot from an optimal start timing in such a way that a transfer in/out time to a specific one of said modules becomes equal for all the substrates of said succeeding lot (See Column 10).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RAMYA G. PRAKASAM whose telephone number is (571)272-6011. The examiner can normally be reached on Monday - Thursday, 8:30am-7pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gene Crawford/
Supervisory Patent Examiner, Art Unit
3651

12/17/2008
RGP